

ESTTA Tracking number: **ESTTA532049**

Filing date: **04/12/2013**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91205687
Party	Plaintiff David D'Amato
Correspondence Address	ANTHONY N ELIA THE LAW OFFICE OF ANTHONY N ELIA PC 74 TRINITY PLACE SUITE 1609 NEW YORK, NY 10006 UNITED STATES anthony@anelaw.com
Submission	Request to Withdraw as Attorney
Filer's Name	Anthony Elia
Filer's e-mail	anthony@anelaw.com
Signature	/ane/
Date	04/12/2013
Attachments	Motion in support of Withdrawal as Counsel.pdf (5 pages)(189748 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of United States Trademark Application:

Applicant: ECHL, Inc.

Serial Number: 85421579 / 85421538

Mark: ORLANDO SOLAR BEARS (word mark) /
ORLANDO SOLAR BEARS (with design)

Published: 2/21/2012 / 3/20/2012

DAVID D'AMATO,	X	
	:	
	:	
Opposer,	:	<u>DECLARATION IN SUPPORT OF</u>
	:	<u>CONSENT MOTION FOR</u>
	:	<u>WITHDRAWAL OF COUNSEL</u>
	:	
	:	
-against-	:	Opp Nos.: 91206135
	:	91205687
	:	
ECHL, INC.,	:	
	:	
	:	
Applicant.	:	
	X	

*DECLARATION OF ANTHONY N. ELIA, ESQ. IN SUPPORT OF CONSENT MOTION TO
WITHDRAW AS COUNSEL*

Anthony N. Elia, Esq. declares as follows:

1. I am an attorney at law admitted to practice before the courts of the State of New York
and I am attorney of record for the Opposer David D'Amato in this Opposition
Proceeding. I make this declaration in support of my consent motion to withdraw as
counsel.

2. Opposer David D'Amato has discharged me and has found substitution counsel (see, discharge document attached as Exhibit "A"). Withdrawal herein is mandatory. 37 CFR § 10.40(b)(4).
3. I have complied with 37 CFR § 10.40(a) in that I have taken reasonable steps to avoid foreseeable prejudice to the rights of the client including giving due notice. I have delivered all the papers and property to the new counsel and have briefed counsel regarding the case and deadlines. Substitution counsel have acknowledged receipt of the file.

Dated: April 11, 2013
New York, New York

THE LAW OFFICE OF
ANTHONY N. ELIA, P.C.



By: _____
Anthony N. Elia
74 Trinity Place, Suite 1609
New York, New York 10006
(212) 233-5300

“A”

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BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

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----- X
DAVID D'AMATO,

Opposer,

: DISCHARGE OF COUNSEL

:
: Opp Nos.: 91206135
: 91205687
:

-against-

ECHL, INC.,

Applicant.
----- X

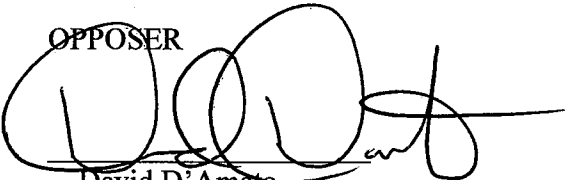
TAKE NOTICE that I hereby discharge The Law Office of Anthony N. Elia, P.C. and Anthony Elia from representation of me in the above referenced proceedings and I hereby consent to their withdrawal as counsel. I have retained the following new counsel whom I anticipate will file notices of appearance immanently:

Vincent LoTempio
Kloss, Stenger & LoTempio,
69 Delaware Ave. Suite 1002
Buffalo, NY 14202
716-853-1111 (Office)
716-759-1094 (Fax)

vglotempio@klosslaw.com

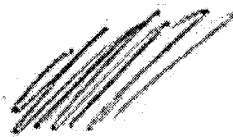
4/4/13

OPPOSER


David D'Amato

Dated: April 4, 2013
New York, New York


THE LAW OFFICE OF
ANTHONY N. ELIA, P.C.



By: _____
Anthony N. Elia
74 Trinity Place, Suite 1609
New York, New York 10006
(212) 233-5300

Dated: April 4, 2013
Buffalo, New York

KLOSS, STENGER & LOTEMPPIO

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Buffalo, NY 14202
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716-759-1094 (Fax)
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